

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Whitney Beber	Team: Squad #6	CCRB Case #: 202002580	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Friday, 03/27/2020 4:18 AM	Location of Incident: § 87(2)(b)	Precinct: 122	18 Mo. SOL 9/27/2021	EO SOL 5/4/2022	
Date/Time CV Reported Fri, 03/27/2020 7:51 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 04/06/2020 11:32 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Francisco Ruiz	15750	943946	122 PCT
2. POM Anthony Ruggiero	25666	937454	122 PCT
3. Officers			122 PCT

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Officers used physical force against § 87(2)(b)	§ 87(2)(b)
B.POM Francisco Ruiz	Abuse: Police Officer Francisco Ruiz threatened § 87(2)(b) with the use of force.	§ 87(2)(b)
C.POM Anthony Ruggiero	Abuse: Police Officer Anthony Ruggiero threatened § 87(2)(b) with the use of force.	§ 87(2)(b)

Case Summary

On March 27, 2020 Sgt. Stephen Mazzaro of the 122nd Precinct filed a complaint on behalf of § 87(2)(b) with IAB under original log #202009292. On April 6, 2020 the CCRB received the complaint.

On April 9, 2020 a search was conducted in Lexis Nexis for § 87(2)(b)'s grandmother, § 87(2)(b) who witnessed the incident and resided at the incident location. The search produced two phone numbers. On April 9, 2020, calls were placed to both numbers. One was not in service and there was no answer when the second number was called, so a voicemail message was left. On April 13, 2020, a second call was placed to § 87(2)(b) at one of the numbers produced by the Lexis Nexis search. She answered and provided § 87(2)(b)'s phone number.

Between April 13, 2020 and April 16, 2020 two calls were made to the number she provided. There was no answer, so a voicemail message was left. On April 20, 2020 a third call was placed to § 87(2)(b). He answered and stated that he did not want to pursue the complaint with the CCRB and stated it was a misunderstanding. In IA #39 at 1:26 minutes, § 87(2)(b) confirmed he wished to withdraw his complaint. He confirmed that he was withdrawing of his own free will and had not been coerced by any member of the NYPD or CCRB to withdraw his complaint. Investigative Manager Jessica Pena reviewed the digitally recorded withdrawal on April 21, 2020 (IA #39) and confirmed that it fell within agency guidelines.

§ 87(2)(g)

Squad No.: 6

Investigator:	<u>Whitney Beber</u>	<u>Inv. Whitney Beber</u>	<u>4/21/2020</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Jessica Peña</u>	<u>IM Jessica Peña</u>	<u>4/21/2020</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date